

**PLANNING COMMISSION SPECIAL MEETING  
14 NOVEMBER 2006  
MINUTES**

Members Present:

Mr. Ray Rosenberger, Chairman  
Mrs. Ellen Richardson  
Mrs. Mollie Cherrix  
Mrs. Jane Wolffe  
Mr. Tom Derrickson  
Mr. Ray Daisey  
Mr. Bob Behr

Members Absent:

Mr. Kenny L. Lewis, Staff Support

AGENDA ADOPTION

Mrs. Richardson motioned, seconded by Mr. Behr to adopt the agenda. The motion was unanimously approved. Mr. Daisey requested that public participation be placed on all agendas.

1. REVIEW OF SIGN ORDINANCE.

The commission reviewed and approved the following proposed changes in the sign ordinance:

Article VII. Signs

Section A. Purpose and Intent

- |            |                                       |
|------------|---------------------------------------|
| Sec. 7.1.  | Introduction.                         |
| Sec. 7.2.  | Definitions                           |
| Sec. 7.3.  | Signs as a matter of right.           |
| Sec. 7.4.  | Temporary signs.                      |
| Sec. 7.5.  | Construction and maintenance.         |
| Sec. 7.6.  | Prohibited signs.                     |
| Sec. 7.7.  | Nonconforming signs.                  |
| Sec. 7.8.  | Protection of First Amendment rights. |
| Sec. 7.9.  | Removal.                              |
| Sec. 7.10. | Variances.                            |

Section B. Standards and Criteria

- |            |                        |
|------------|------------------------|
| Sec. 7.11. | Generally.             |
| Sec. 7.12. | Residential districts. |
| Sec. 7.13. | Commercial districts.  |

## SECTION A. PURPOSE AND INTENT

### Sec. 7.1. Introduction.

7.1.1. Signs constitute a separate and distinct use of the land upon which they are placed and affect the use of adjacent streets, sidewalks and property.

7.1.2. The provisions of this ordinance are made to establish reasonable and impartial regulations for all signs wherever placed out-of-doors in view of the general public or wherever placed indoors as a window and to further the objectives of the comprehensive plan; to protect the general public health, safety, convenience, and welfare; to reduce traffic hazards caused by unregulated signs which may distract, confuse, and impair the visibility of motorists and pedestrians; to ensure the effectiveness of public traffic signs and signals; to protect the public investment in streets, highways, and other public improvements; to facilitate the creation of an attractive and harmonious community; to preserve our natural, architectural and cultural uniqueness assets; to protect property values; and to further economic development.  
(Ord. of 4-3-1995)

### Sec. 7.2 DEFINITIONS

For the purpose of this ordinance, certain words and terms are defined as follows (words used in the present tense include the future, words in the singular include the plural, and the plural includes the singular):

Sec. 7.2.1 Abandon Sign. A sign which no longer identifies a bona fide business, lessor, service, owner, product, or activity, time of event passed, and/or for which no legal owner can be found. The definition shall also include any sign structure which no longer supports the sign for which it was designed.

Sec. 7.2.2. Address and name of resident. A sign indicating address and/or name of residential occupants of the premises, and not including any commercial advertising or identification. (Additional address numbers are permitted on structures.)

Sec. 7.2.3 Animated Sign. A sign which uses movement or change of lighting to depict action, words, graphics, commercial message or creates a special effect or scene.

Sec. 7.2.4 Art Work. Works of art displayed on a structure, that do not include any commercial messages or references.

Sec. 7.2.5 Awning. Any non-rigid material such as fabric or flexible plastic that is supported by or stretched over a frame that is attached to an exterior wall.

Sec. 7.2.6 Awning sign. A sign placed directly on the surface of an awning.

Sec. 7.2.7. Banner. A sign that is mounted on or attached to a non-rigid surface such as cloth, fabric, or paper.

Sec. 7.2.8. Beacon. Any light with one or more beams directed into the atmosphere or directed at one or more points not in the same zone as the light source; also light with one or more beams that rotate or move.

Sec. 7.2.9.        Billboard. See "Off-premises sign."

Sec. 7.2.10.      Bulletin board sign. A particular type of changeable copy sign that displays copy in a casement made of glass or plexi-glass.

Sec. 7.2.11.      Business Sign. A sign which directs attention to a product, commodity or service available on the premises.

Sec. 7.2.12.      Canopy. An extension of the roof of a building or a freestanding structure that has a roof with support, but no walls.

Sec. 7.2.13.      Canopy sign. A sign attached to a canopy.

Sec. 7.2.14       Changeable copy sign. A sign that is designed so that characters, letters, or illustrations can be changed or rearranged without altering the face or surface of the sign.

Sec. 7.2.15.      Clearance (of a sign). The smallest vertical distance between the grade of the adjacent street or street curb and the lowest point of any sign, including framework and embellishment, extending over that grade.

Sec. 7.2.16.      Commercial directional signs. Signs giving on-site directional assistance for the convenience of the public.

Sec. 7.2.17.      Commercial message. Any sign, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

Sec. 7.2.18.      Directional. A directional sign is one indicating the direction to which attention is called, four square feet or less in area.

Sec. 7.2.19.      Direct sales. The sale of goods and/or services to the end user. Most retail sales are direct or end sales.

Sec. 7.2.20.      Directional sign. Provides on-site directional assistance for the convenience of the public such as location of exits, offices, entrances, and parking lots. The name of the firm or business may be included on the sign.

Sec. 7.2.21.      Directory sign (commercial). A sign which displays the names and/or addresses of the establishments or uses of a building or group of buildings.

Sec. 7.2.22.      Directory sign (governmental). A sign erected, owned and maintained by the Town of Chincoteague within the public right-of-way to indicate to the traveling public the route and distance to public accommodations, facilities, commercial services and points of scenic, historical, cultural, recreational, educational or religious interest. Such signs shall conform to all applicable state regulations regarding the placement of signs in public right-of-ways.

Sec. 7.2.23.      Festoons. A string of ribbons, tinsel, flags, or pinwheels.

Sec. 7.2.24.      First Amendment right signs. Any sign lawfully advocating any political, social, religious, or other cause or position of the person or persons exhibiting such, the content of which would be protected by such person or person's right to freedom of speech as defined under the

First Amendment to the United States Constitution and/or article I, section 12 of the Constitution of Virginia subject to the restrictions hereinafter provided. Such permitted signs shall not contain any message of a commercial nature and shall not direct attention to a business operated for profit or any entity operated on a non-profit basis, or to the sale or gift of any commodity or service, nor shall such exhibitor charge a fee therefore. Such signs shall be permitted both in residential and commercial districts. No such sign, or combination of signs, in a residential district shall exceed thirty two (32) square feet in area, exceed five (5) feet in height, and shall comply with all applicable setbacks in such residential district. Any such sign or signs within a commercial district shall comply with all the criteria of 7.12.1 as to size and location. Any such sign may be constructed of cardboard. Any such sign shall comply with all other applicable provisions of Article VII, except as expressly excepted. (Amended 4/3/95)

Sec. 7.2.25. Flag. (commercial) Any fabric, banner, or bunting, containing distinctive colors, patterns, or symbols or wording.

Sec. 7.2.26. Flag. (governmental) Any fabric, banner, or bunting, containing distinctive colors, patterns, or symbols, used as a symbol of a government political subdivision or other entity.

Sec. 7.2.27 Flashing sign. Any signs that include light which flash, blink or turn on and off intermittently, including searchlights (not including time and temperature signs)

Sec. 7.2.28. Freestanding sign. The general term for any on-site sign which is supported from the ground and not attached to a building.

Sec. 7.2.29. General advertising Sign. A sign which directs attention to a product, commodity or service not necessarily available on the premises.

Sec. 7.2.30 Glaring signs. Signs with light sources or with such reflective or brightness qualities that they constitute a hazard or nuisance.

Sec. 7.2.31. Handicapped parking space sign. Signs reserving parking spaces for handicapped motorists.

Sec. 7.2.32. Height (of a sign). The vertical distance measured from the highest point of the sign, including any decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever ground elevation is less. (This is not the same as clearance)

Sec. 7.2.33. Home occupation sign. A sign directing attention to a product, commodity or service available on the premises, but which product, commodity or service is clearly a secondary use of the dwelling.

Sec. 7.2.34. Illegal sign. A sign that was constructed, erected or placed in violation of regulations that existed at the time it was built.

Sec. 7.2.35. Illuminated sign. A sign illuminated in any manner by an artificial light source, whether internally or externally lit.

Sec. 7.2.36. Inflatable Signs. Any sign or advertising structure which uses air or gas to expand.

Sec. 7.2.37. Incidental Sign. A sign, emblem, or decal informing the public of goods, facilities, or services available on the premises, whose purpose is secondary to the use of the zoned lot. No sign with a commercial message legible from a position off the zoned lot on which the sign is located shall be considered incidental.

Sec. 7.2.38. Location Sign; A sign which directs attention to the approximate location of an establishment from which the advertised product may be obtained.

Sec. 7.2.39. Maintenance. The cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

Sec. 7.2.40. Marquee. A permanent structure other than a roof attached to, supported by, and projecting from a building and providing protection from natural elements.

Sec. 7.2.41. Marquee sign. A sign attached to and made a part of a marquee or any other similar projection from a building.

Sec. 7.2.42. Monument sign. A freestanding sign with a base affixed to the ground which measures at least two-thirds the horizontal length of the sign.

Sec. 7.2.43. Nonconforming sign. A sign that met all legal requirements when constructed but that is not in compliance with this ordinance. An illegal sign is not a nonconforming sign.

Sec. 7.2.44. Off-premises sign. Any sign which is not located on the premises that it identifies or advertises.

Sec. 7.2.45. Pennants. A lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in a series, designed to move in the wind.

Sec. 7.2.46. Permanent sign. A sign which is permanently affixed into the ground or a building and meets the requirement of a structure under the Virginia Uniform Statewide Building Code.

Sec. 7.2.47. Pinwheels. See Rotating signs.

Sec. 7.2.48. Pole sign. A freestanding sign with a base at least seven feet above the ground which is supported from the ground by a pole or a similar support structure of narrow width.

Sec. 7.2.49. Portable sign. Any signs that is not permanently affixed to a building, structure, or the ground. This shall not apply to signs permitted under 7.3.5 or 7.5

Sec. 7.2.50. Projecting sign. A sign which is supported by an exterior wall of a building and which is displayed perpendicular to the face of the building.

Sec. 7.2.51. Roofline. The top edge of a roof or building parapet, whichever is higher, excluding any cupola, pylons, chimneys, or minor projections.

Sec. 7.2.52. Roof sign. Any signs which extend in height above the roof line of the building on which the sign is erected.

Sec. 7.2.53. Rotating sign. A sign in which the sign itself or any portion of the sign moves in a revolving or similar manner. Such motion does not refer to methods of changing copy.

Sec. 7.2.54. Scrolling sign. "See animated sign".

Sec. 7.2.55. Security and warning signs. On-premises signs regulating the use of the premises, such as "no trespassing," "no hunting" and "no soliciting".

Sec. 7.2.56. Sexually Graphic Sign. Any sign containing any photograph, silhouette, drawing, or pictorial representation or description of any specified anatomical area or specified sexual activities as those terms defined in the Code of the Town of Chincoteague.

Sec. 7.2.57. Sign. Any device which is visible from a public byway, and all supporting poles, brackets, braces, wires, foundations, etc., that displays letters, characters or graphics to identify a land use or is meant to attract the public's attention. Any display of any letters, words, numerals, figures, devices, emblems, pictures or any parts of combinations thereof, by any means whereby the same are made visible for the purpose of making anything known, whether such display be made on, attached to or as a part of a structure, surface or any other thing, including, but not limited to, the ground, any rock, tree or other natural object, which display is visible beyond the boundaries of the parcel of land on which the same is made. A display of less than one square foot in area is excluded from this definition.

Sec. 7.2.58. Sign structure. Includes the supports, uprights, bracing and framework of any structure, be it single- or double-faced or V-type or otherwise, exhibiting, illuminating, holding and/or supporting a sign.

Sec. 7.2.59. Sign, temporary. See "Temporary sign."

Sec. 7.2.60. Simulated traffic signs and obstructions. Any sign which may be confused with or obstruct the view of any authorized traffic sign or signal, obstruct the sight distance triangle at any street intersection, or extend into the public right-of-way.

Sec. 7.2.61. Snipe sign. A sign that is attached to a utility pole, tree, fence or any object located or situated on public or private property.

Sec. 7.2.62. Street frontage. The side of a lot nearest the street.. The frontage of a corner lot is the shorter of the two sides facing a street. Frontage may also be described as a distance, e.g. "The lot has 243 feet of frontage".

Sec. 7.2.63. Temporary sign. Temporary signs shall be permitted for the purpose of advertising any event held by any nonprofit or charitable organization.

Sec. 7.2.64. Temporary real estate signs. Temporary signs indicating the availability of real property for lease or sale, located on the premises being leased or sold.

Sec. 7.2.65. Vending machine identification signs. Signs or decals identifying a product which is used for public convenience.

Sec. 7.2.66. Vehicular signs. Any sign displayed on a parked vehicle, where the primary purpose of the vehicle is to advertise a product or business or to direct people to a business or activity. For the purposes of this ordinance, vehicular signs shall not include business logos, identification, or advertising on vehicles primarily used for other business purposes. (Ord. of 4-3-1995)

Sec. 7.2.67. Wall sign. A sign painted on or attached to a wall of a building and parallel to the wall.

Sec. 7.2.68. Window sign. Any sign, picture, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service that is inside a window or upon the window panes or glass and is visible from the exterior of the window.

### Sec. 7.3. Signs as a matter of right.

The following signs shall be permitted as a matter of right, and no sign permit shall be required:

7.3.1. Address and name of resident. Such sign shall not exceed four square feet in area.

7.3.2. Artwork. Upon approval by the Chincoteague Planning Commission

7.3.3. Commercial directional signs. Such sign/signs shall not exceed two square feet (each) in area or be located closer than five feet to any property line.

7.3.4. Directional Signs; Shall not exceed four square feet in area.

7.3.5. First Amendment right signs. Such permitted signs shall not contain any message of a commercial nature and shall not direct attention to a business operated for profit or any entity operated on a nonprofit basis, or to the sale or gift of any commodity or service, nor shall such exhibitor charge a fee thereof. Such signs shall be permitted both in residential and commercial districts. No such sign, or combination of signs, in a residential district shall exceed 32 square feet in area or exceed five feet in height, and shall comply with all applicable setbacks in such residential district. Any such sign or signs within a commercial district shall comply with all the criteria of 7.12.1 as to size and location. Any such sign may be constructed of cardboard. Any such sign shall comply with all other applicable provisions of article VII, except as expressly excepted.

7.3.6. Flags, emblems, and insignia. Of any governmental agency or religious, charitable, public or nonprofit organization.

7.3.7. Handicapped parking space sign. Such signs shall meet the minimum standards set forth by ADA.

7.3.8. Home occupation signs. Such signs shall not exceed four square feet in area and shall contain only the name of the business and/or business owner.

7.3.9. Private drive signs. On-premises private drive signs limited to one per drive entrance, not exceeding two square feet in area.

7.3.10. Public signs. Signs erected by government agencies or utilities including traffic, utility, safety, directional and identification signs for public facilities.

7.3.11. Security and warning signs. Such signs shall not exceed two square feet in area. On unimproved lots, signs shall not be closer than 50 feet to each other and shall not be placed within ten feet of any property line. On improved lots, signs shall be placed five feet or less from the structure protected. Signs shall not exceed four feet in height.

7.3.12. Vending machine identification signs. All identification shall be placed within the square footage of the vending machine unit.

#### Sec. 7.4. Temporary signs.

7.4.1. *Permitted by right.* The following temporary signs shall be permitted as a matter of right and no sign permit is required unless specifically identified, subject to the conditions specified, and the other provisions of article VII, as applicable.

7.4.2 Temporary real estate sign. A real estate sign is permitted provided such sign shall not exceed four square feet in area, and 6 feet in height and shall be located no closer than 25 feet from the edge of the established roadway. If the main structure is located less than 25 feet from the edge of the established roadway the sign may be placed at the midpoint between the main structure and the edge of the established roadway. Display of such sign is limited to one per property. When a development contains four or more parcels/units, the developer may choose to install one sign, in lieu of individual signs, not to exceed 32 square feet in area, and shall place the sign parallel with the right-of-way. Such sign shall be removed within 30 days of the settlement or lease of the property. One directional sign may be erected if the said property is not easily visible from the adjoining state road.

7.4.3 Vacation rental signs. A vacation rental sign for rentals less than 12 months to one tenant are permitted; such sign shall not exceed four square feet in area and shall be located within two feet of the structure. Display of such sign is limited to one per property. Sign shall not exceed six feet in height.

7.4.4 *Banners.* On-premises banners shall not be more than 30 square feet in area. Total banners shall not exceed one per residence and one per business. Such placement shall not exceed 2 times per calendar year not to exceed 4 consecutive weeks for each placement. Non-profit organizations are exempt from the above time limit provided the banner is removed within 7 days after the event has ended. Placement of such banners must comply with article VII of this ordinance. Banners shall not be placed closer than ten feet from any property line. A permit is required.

7.4.5 Political Signs As to any political sign or signs advocating the election or non-election of a particular candidate for public office, or the approval or rejection of any issue on the ballot in any scheduled election, such sign or signs shall be erected no sooner than 60 days prior to the scheduled election and removed not later than five days thereafter. Maximum of one (1) sign per candidate or issue per parcel. Owner of said parcel must give consent on the placement of such signs. Such signs shall not exceed 32 square feet in area and be located no closer than ten feet from any property line.



7.4.6 *Nonprofit or charitable organizations event signs.* Any sign or signs for the purpose of advertising any event held by a nonprofit or charitable organization. Such signs or combination thereof shall not exceed 32 square feet in size and shall be permitted to be displayed only on private property for a period not to exceed seven consecutive days. Such signs, if located, at any intersection shall be set back a minimum of ten feet from the edge of the street for safety purposes. No sign shall be erected that will obstruct the sight distance triangle at any street intersection. A permit is required.

7.4.7 *Construction, contractor and job site signs.* One contractor sign, not exceeding 32 square feet in area, and subcontractors' signs not exceeding eight square feet in area each, When erected or displayed on the premises upon which building operations are being conducted; provided, that such signs shall be removed upon completion of the work. No sign shall be erected that will obstruct the sight distance triangle at any street intersection.

7.4.8 *Special event signs.* Signs announcing special events including but not limited to open houses, auctions, grand openings, new management and going out of business.

Each lot shall be limited to one of each of the following types of signs unless otherwise noted and does not count in the total allowed per lot or business.

A sign advertising auctions and grand openings may be erected seven days prior to the event and shall contain the date(s) if the event. Such sign shall not exceed 16 square feet in area. No permit is required.

A signs advertising going out of business, or new management shall be limited to once in a 12-month period for up to seven days. Such sign shall not exceed 16 square feet in area. No permit is required.

A sign for open houses may be erected up to six days prior to the open house if the sign contains the day of the week or the date of the open house or may be erected the day of the open house if it does not contain the day of the week or the date of such open house. Such sign shall not exceed 4 square feet in area. No permit is required.

All special event signs must be removed immediately following the event, shall be setback a minimum of twenty-five feet from the edge of the public right-of-way. No sign shall be erected that will obstruct the sight distance triangle of any street intersection.

7.4.9 *Pony Penning Sales Signs.* No more than four square feet (two feet by two feet) Shall be permitted to be displayed no more than three days prior to the sale, to be located only on private property, and shall not be placed on the public right-of way, without requiring any permits. Signs displayed under this section must be removed within 48 hours of the close of the sale activities.

#### Sec. 7.5. Construction and maintenance.

7.5.1. *Building code compliance.* All signs shall be constructed in compliance with the current Virginia Uniform Statewide Building Code.

7.5.2. *General restrictions.* Signs shall not be erected in or over a street or highway right-of-way, or on public land except as permitted in section 7.10 .

7.5.3. *Condition of sign.* All signs and components shall be maintained in good repair and in a safe, clean and attractive condition. Any sign found to be in disrepair, upon written notice, must be immediately removed by such owner. Failure to remove such sign shall result in legal action and, if applicable, the sign permit may be revoked.

Sec. 7.6. Prohibited signs.

The following are expressly prohibited unless specifically stated otherwise in this ordinance;

7.6.1 Animated signs.

7.6.2. Flashing signs.

7.6.3. Glaring signs.

7.6.4. Portable signs.

7.6.5. Roof signs.

7.6.6 Simulated traffic signs and obstructions.

7.6.7 Vehicular signs.

7.6.8 Menu & sandwich boards, easels and other sidewalk signs

7.6.9 Air or gas filled balloons & inflatable objects used for the purpose to draw attention to a particular business.

7.6.10 Beacons

7.6.11 Rotating signs

7.6.12 Pinwheels for commercial use

7.6.13 Sexually graphic sign

7.6.14 Sculptures or statues, with or without a commercial message used for the purpose to draw attention to a particular business exceeding 4 feet in height, 3 feet in width and/or 3 feet in length.

7.6.15 Name brand advertising signs such as those naming the brand of cigarettes and beverages for sale in the business. This shall not include vending machines.

7.6.16 Changeable letter signs either freestanding or stand alone. (This shall not include changeable letter signs incorporated in an approved freestanding sign as identified in section 7.13.1.(6).)

Sec. 7.7. Nonconforming signs.

Any sign which does not conform to the provisions herein as of January 4, 1994 or any date on which the ordinance is amended, and any sign which is accessory to a nonconforming use, shall be deemed a nonconforming sign.

7.7.1 A nonconforming sign lawfully existing at the time of adoption or subsequent amendment may continue although such a sign does not conform to the provisions of this ordinance, however, it cannot be enlarged, redesigned or altered in any way excluding general maintenance, except to conform to the requirements of this chapter.

7.7.2 A change in business ownership, change in the certificate of occupancy, or change in the business license requires that a non-conforming sign be removed or brought into compliance within sixty (60) days of a change either in ownership, occupancy or business license. Whenever the ownership, occupancy, or business license changes the new owner, occupant, or licensee shall be required to remove, change or alter such signs to conform to this chapter.

7.7.3 Any business advertising products or services which are no longer available shall remove such signs within 60 days.

7.7.4 If the business continues to operate as the same business but changes leaseholder, then only one nonconforming sign which identifies the business name may remain but all other nonconforming signs must be removed. Any new signs must conform to this chapter.

7.7.5 If a business remains with the owner but ceases to operate for two years then all conforming and nonconforming signs shall be removed.

#### Sec. 7.8. Protection of First Amendment rights.

Any sign, display, or device allowed under this ordinance may contain, in lieu of any other copy, any otherwise lawful noncommercial message that does not direct attention to a business operated for profit or to a commodity or service for sale, and that complies with all other requirements of this ordinance.

#### Sec. 7.9. Removal.

7.9.1. *Illegal signs.* The zoning administrator may order the removal of any sign not in conformance with the provisions of this ordinance at the expense of the sign owner or lessor, after giving the owner or lessor written notice of such violation and giving notice to correct such violation within ten days from date of receipt of said notice by registered or certified mail at the last known address.

7.9.2. *Immediate peril.* If the zoning administrator shall find any sign which is an immediate peril to persons or property, the sign shall be removed. If the zoning administrator cannot locate the sign owner or lessor for immediate removal of the sign, he shall be empowered to order the removal of the sign at the expense of the sign owner or lessor.

#### Sec. 7.10. Variances.

7.10.1. *Standard of review.* The board of zoning appeals may grant a variance authorized by this section only when and if it finds that the following special physical conditions exist:

- (1) The zoning lot on which the activity is located is unusually shaped or exhibits unusual topography; and
- (2) Such physical characteristics prevent legal signage from identifying the activity as compared to legal signage identifying other activities in the immediate area.

7.10.2. *Procedures.* All requests for variances must be filed with the board of zoning appeals within 30 days of the date of denial of the permit application by the zoning administrator.

## SECTION B. STANDARDS AND CRITERIA

### Sec. 7.11. Generally.

The regulations in this section specify the number, types, sizes, heights and locations of signs which are permitted within the jurisdictional boundaries of the Town of Chincoteague and which require a permit. Any sign regulations incorporated into a development plan approved by council may supersede all or part of this section.

Unless otherwise provided in this chapter, all signs shall be set back a minimum of ten feet from the right-of-way, unless attached to a building without any ground supports, in which case it shall conform with the required size restrictions and not protrude into any right-of-way unless a land use permit is obtained from the Town of Chincoteague..

All permitted signs in this chapter shall only advertise those uses being conducted on the premises on which they are displayed.

7.11.1. *Determination of sign area.* In measuring the area of signs permitted under these regulations, the entire face of the sign (one side only) and any wall work incidental to its decoration shall be included. Where both sides of a sign contain lettering or other allowable display, one side only shall be used to compute the allowable size of the sign. Where the sign consists of individual raised letters or a sign face of irregular shape, the sign area shall include the area of the smallest rectangle that can encompass the letters or sign face.

7.11.2. *Determination of sign height.* The height of a sign erected within 30 feet of a street shall not exceed 12' in height. The height of all signs farther than 30 feet from a street shall be the distance from the grade level where the sign is erected to the top of the sign or sign structure, whichever is greater. No sign shall be erected that will obstruct the sight distance triangle at any street intersection.

7.11.3. *Installation of wall signs.* All wall signs shall be installed flat against the wall of a building and shall not extend from the wall more than 18 inches.

7.11.4. *Other uses.* In cases where the regulations within this section do not specifically address a sign requested in conjunction with a permissible use, the zoning administrator shall make a written interpretation of the ordinance, which shall be kept in the permanent record for that application. (Ord. of 4-4-1994)

### Sec. 7.12. Residential districts.

Within residential districts, permits are required for all allowed signs. All signs must conform to the following criteria:

7.12.1. *Single-family subdivision identification signs.* Signs that identify the name of a single-family residential subdivision, located at any street entrance to the subdivision, shall be erected as follows:

- (1) *Number:* one per main entrance, not to exceed two per subdivision.
- (2) *Type:* monument.
- (3) *Maximum size and height:* 32 square feet in area and five feet in height.
- (4) *Minimum setback:* ten feet from any property line and outside of all visibility triangles.

7.12.2. *Multifamily complex signs.* Signs that identify the name and/or address of an apartment, townhouse, condominium or other multifamily residential complex, located at any street or private drive entrance to the complex, shall be erected as follows:

- (1) *Number:* one per main entrance, not to exceed two per complex.
- (2) *Type:* monument.
- (3) *Maximum sizes and heights:* 32 square feet in area and five feet in height.
- (4) *Minimum setback:* ten feet from any property line and outside of all sight visibility triangles.

7.12.3. *Accessory management or rental office signs.* Signs that identify an accessory management or rental office shall be erected as follows:

- (1) *Number:* one.
- (2) *Type:* wall.
- (3) *Maximum size and height:* six square feet in area and located below the roof line.

#### Sec. 7.13. Commercial districts.

Within commercial districts all allowed signs require a permit. All signs must conform to the following criteria:

7.13.1. Signs permitted within a commercial district shall be erected or displayed only on such wall, window, or mansard roof of a building which faces the front property line or as a freestanding signs upon a lot. The number of signs shall be limited to two (2) per business not including incidental, directory or directional signs (see 7.13.1 (3) unless otherwise noted. Total square footage area of all permitted signs upon any one lot shall not exceed 100 square feet in area unless noted otherwise. Two additional signs shall be permitted, maximum of twenty five (25) square feet each if the building fronts upon more than one public right-of-way or waterfront and such sign (s) shall be placed facing such public right-of-way or waterfront. Sign bases without commercial messages are not included in the sign area. Sign bases are included in the overall height.

(1) Buildings occupied by a single business. The total combined area of all signs facing the front lot line shall not exceed one square foot for each foot of building width or one hundred square feet, whichever is less, however no one sign can exceed 64 square feet in area, not including the sign base, and shall not exceed 12 feet in height.

(2) Buildings occupied by more than one business: The total combined area of all Signs facing the front lot line shall not exceed one square foot for each foot of building width facing such lot line, or one hundred square feet whichever is less, however, no sign can exceed 64 square feet in area and shall not exceed 12 feet in height. In addition to the maximum allowed combined total area permitted above in 7.13.1 (2) each business in a multi-business building shall be permitted one additional wall sign or projecting sign, not to exceed 20 square feet for business identification.

(3) Multiple incidental and directory signs on the interior of a lot shall be allowed and do not require a permit. Each sign shall not exceed four (4) feet in height and 12 twelve square feet in area and shall not be visible from a public right-of-way or street. The square footage of these signs is not counted as part of the total area permitted. Such signs must relate to the business being conducted on the lot and such signs shall not be advertising for business located off premise.

(4) Signs hung on marquees. No sign shall be hung on a marquee, canopy or portico if such sign shall extend beyond the established street line. The area of any such sign shall be included in determining the total area of signs erected or displayed.

(5) Signs, advertising occupants, etc. Signs advertising only the name of the occupant of a store, office or building, the business or occupation conducted or the products sold therein may be placed on show windows; provided, that not more than 30 percent of the area of such windows shall be covered.

(6) Mansard roof signs: Shall not exceed 32 square feet in sign area and shall only contain the name of a business. The total area shall be included in the total area of signage permitted in this section and shall not be in addition thereto.

(7) Freestanding signs. Shall be limited to one per lot, maximum area of 64 square feet In area and not exceeding 12 feet in height. Each building must incorporate its legally assigned street number into its freestanding sign. Freestanding signs shall not be placed within ten feet of any street right-of-way.

(8) Window sign: A window sign shall be considered as a wall sign, shall not exceed more than 25% of the window area in which they are displayed and shall not be placed higher than ten (10) feet above the entrance of the door sill plate. Such signs shall be limited to a maximum combined area of 64 square feet total and shall not exceed ten (10) feet in height.

(9) Flags, Commercial: Two flags per lot maximum each limited to an area of 15 square feet. Flags must be mounted securely to a wall or from a permanent flag pole.

7.13.2. *Gasoline stations.* Automobile service, convenience stores and gasoline stations shall comply with all applicable sign regulations within this section, including the regulations for

shopping centers if applicable. The following additional regulations shall apply to all automobile and service and gasoline stations:

- (1) *Changeable fuel price signs.* Freestanding signs identifying the name of the business may include changeable copy indicating the current price of fuel dispensed on the premises. The area of the fuel price sign shall be included in the sign area for the business.
- (2) *Gas pump signs.* Each gas pump shall be permitted a total of 11/2 square feet of sign area to identify the product dispensed. (Gas pump signs shall not apply to total square footage of sign area permitted.)

7.13.3. *Office and/or industrial centers.* Office and/or industrial centers at least one acre in size and planned as an integrated development shall be authorized to erect signs based on the following criteria:

- (1) *Center identification signs.* One monument sign per public street frontage, identifying the name of the center only and not exceeding 32 square feet in area and six feet in height.
- (2) *Individual establishment signs.* Each individual establishment within an office and/or industrial building may erect one wall sign of a size which does not exceed a maximum of 16 square feet in area. The top of the wall sign shall be located below the roof line and at a height no greater than 15 feet above the ground.

7.13.4. *Directory signs.* Commercial and industrial properties may erect a directory sign identifying the names and/or addresses of the establishments within individual buildings. A directory sign shall not exceed 16 square feet in area and six feet in height and precludes the use of any other freestanding sign for the zoning lot on the same street frontage.

7.13.5. *Theaters.* Theaters are authorized to erect one of the permitted wall or marquee signs with a changeable copy board displaying the name and time of the current motion picture or theatrical production.  
(Ord. of 4-4-1994)

The Commission will continue their review of the sign ordinance in January.

---

Ray Rosenberger, Chairman